

Message Text

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ACTION EB-11

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P 161821 Z MAR 73

FM USMISSION OECD PARIS

TO SECSTATE WASHDC PRIORITY 9074

C O N F I D E N T I A L OECD PARIS 6639

EXCON

E. O. 11652: XGDS-1

TAGS: ESTC, COCOM

SUBJECT: REVISED GENERAL EXCEPTIONS PROCEDURE

REF: A. OECD PARIS 6290

B. PAPENDORP/ DIXON TELECON, MAR 15

1. DRAFT TEXT OF CHAPTER A, COCOM DOC REG (66) 1, AS TENTATIVELY REVISED DURING MAR 13 COCOM MEETING (ANNEX TO COCOM DOC PROC (73) 8), POUCHED EWT- DIXON MAR 16 UNDER REGISTRY NO. 6911, POUCH K-3-3172.

2. HOPE THIS WILL BE HELPFUL TO FINAL WASHINGTON CONSIDERATION TO TOPIC PRIOR TO MAR 27 MEETING. AS INDICATED REFS A AND B, HOWEVER, USDEL WOULD APPRECIATE MAXIMUM RANGE OF INSTRUCTIONS IN TIME FOR MAR 20 MEETING. WHERE WE CAN LIFT AD REFS, WE WOULD LIKE TO DO SO DURING CLEARANCE OF DRAFTS. WHERE WE MIGHT HAVE TO SUGGEST REVISED WORDING, IT WOULD OBVIOUSLY ALSO BE DESIRABLE THAT THIS BE INCLUDED IN FINAL VERSION OF PROC (73) 8.

3. AS REF A SHOWS, US DEL MADE CLEAR OUR REVISED PARA (V) WAS PREPARED IN LIGHT OF ORIGINAL PROPOSAL AND COMMENTS AT FEB 20 MEETING, AND PROPOSAL CONSPICUOUSLY AVOIDED ACKNOWLEDGMENT THAT TIME EXTENSIONS NEED BE FOR SPECIFIC
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PERIOD. WE HOPE, IN FINAL ANALYSIS, THAT REINSERTION OF THIS CONCEPT WILL NOT PROVE INSUPERABLE ISSUE FOR EDAC AGENCIES. REGRETTABLY, WE DID NOT REPORT COMMENT BY OTHER PC' S, PRIMARILY FRENCH AND BELGIAN, THAT SUCH " SPECIFIED PERIODS" COULD BE AS LONG AS RESERVING AND SUBMITTING DELEGATIONS WANTED, AND " THREE MONTHS, SIX MONTHS, OR A YEAR" WAS MENTIONED BY VARNOUX. IN THESE TERMS, PRACTICAL DIFFICULTIES OF SPECIFIED EXTENSION SHOULD NOT BE SUBSTANTIALLY GREATER FOR US THAN INDEFINITE PERIOD.

4. IF, INDEED, ISSUE OF SPECIFIED PERIOD IS INSUPERABLE, USDEL CAN SUGGEST TWO POSSIBLE ALTERNATIVES:

A. A FURTHER UNDERSTANDING IN THE RECORD, ALBEIT NOT IN THE PROCEDURE OR GUIDELINES, THAT WHEN AN EXTENSION IS RENEWED, SUCH RENEWAL COULD BE FOR AN INDEFINITE PERIOD; OR
B. REVISION OF GUIDELINE 5) ALONG FOLLOWING LINES: ".... TO ARRANGE WITH THE SUBMITTING DELEGATION AN EXTENSION OF THE TIME LIMIT CONCERNED, FOR EITHER A LIMITED OR AN INDEFINITE PERIOD, AS MUTUALLY CONVENIENT."

5. VARIANT 4 A ABOVE HAS THE PRACTICAL ADVANTAGE THAT IT GIVES THE RESERVING AUTHORITIES AN OPPORTUNITY - WITHIN THE FIRST SPECIFIED PERIOD - TO SEE WHETHER A LONGER OR INDEFINITE PERIOD IS NECESSARY AND THE " POLITICAL" ADVANTAGE OF ACCOMMODATING VARNOUX & CO' S SCRUPLES AGAINST STATED OPTION OF INDEFINITE PERIODS. IN PRESSING FOR 4 B, USDEL COULD STRESS THAT REVISED WORDING GIVES FRENCH THE OPPORTUNITY TO INSIST ON A SPECIFIC PERIOD WHEN IT IS THE SUBMITTING DELEGATION BUT DOES NOT IMPOSE ITS STRICTURES ON OTHER DELS WHO MAY CONSIDER THEIR INTERESTS BETTER SERVED BY A GREATER FREEDOM OF ACTION. USDEL WOULD REVERT TO INS CASE WHICH, AS NOTED IN PARA 4, REF A, VARNOUX HAD HELD UP AS GOOD EXAMPLE OF BENEFITS AND PATIENCE.

6. INSTRUCTIONS REQUESTED. GDS
BROWN

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*** Current Classification *** CONFIDENTIAL

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